

No. 1513B

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIONS), ARTICLE II. DEFINITIONS, SECTION 20.02.602 (POSTER) TO AMEND THE DEFINITION OF POSTER; CHAPTER 20.66 (SIGNS), ARTICLE II, ADMINISTRATION, SECTIONS 20.66.080 (PERMIT REQUIRED), 20.66.090 (APPLICATION PROCEDURE), 20.66.100 (SIGN PERMIT FEE FORMULA), 20.66.130 (PROHIBITED SIGNS) OF THE EL PASO MUNICIPAL CODE TO ADD REQUIREMENTS FOR PERMITS FOR THE REMOVAL OF BILLBOARDS; AND AMENDING ARTICLE III, OFF-PREMISE SIGN REGULATIONS, SECTIONS 20.66.190 (ZONING DISTRICTS), 20.66.200 (SIZE AND HEIGHT), 20.66.210 (SETBACK REQUIREMENTS), 20.66.220 (SPACING), AND 20.66.230 (SPECIAL CONTROL AREAS) OF THE EL PASO MUNICIPAL CODE TO AMEND THE REGULATION STANDARDS FOR OFF-PREMISE SIGNS. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 (PENALTY) OF THE MUNICIPAL CODE.

WHEREAS, the zoning regulations of the City have been established for the purpose of promoting the health, safety, morals and the general welfare of its citizens; and

WHEREAS, the City of El Paso, through its Zoning Ordinance, has established the administrative requirements and regulatory standards for the construction and erection of signs; and

WHEREAS, the current zoning regulations are in the process of a major revision through the efforts of the Building and Zoning Advisory Committee (BZAC); and

WHEREAS, a moratorium on the issuance of new billboard permits is in effect and will expire when the sign regulation is adopted by City Council, or no later than July 2, 2002; and

WHEREAS, after conducting numerous public hearings on the issue, the Building and Zoning Advisory Committee (BZAC) recommends the adoption of the proposed amendments to the off-premise sign regulation standards as herein enumerated; and

WHEREAS, after public hearing by the City Plan Commission also recommends the adoption of the proposed amendments to the off-premise sign regulation standards as herein enumerated; and

WHEREAS, the City Council finds that the adoption of the proposed amendments to the off-premise sign regulation standards as herein enumerated will have no negative impact upon the public health, safety, moral and general welfare of the City, and that the zoning regulations as amended will carry out the purpose and spirit of the policies expressed in *The Plan for El Paso*;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF EL PASO, TEXAS:

1. That Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), Article II, (Definitions), Section 20.02.602 (Poster) of the El Paso Municipal Code shall be and hereby is amended in its entirety to read as follows:

20.02.602 Poster.

"Poster" means a billboard with a sign face area greater than seventy-two square feet but not greater than three hundred square feet.

2. That Title 20 (Zoning), Chapter 20.66 (Signs), Article II (Administration), Section 20.66.080 (Permit Required) of the El Paso Municipal Code shall be and hereby is amended in its entirety to read as follows:

20.66.080 Permit Required.

No person shall hereafter erect, construct, reconstruct, alter, locate or relocate a sign, or remove or demolish an off-premise sign without first having secured a written permit from the deputy director for building services of the city. Portable sign permits shall not be issued for a period of more than three hundred sixty-five days.

3. That Title 20 (Zoning), Chapter 20.66 (Signs), Article II (Administration), Section 20.66.090 (Application Procedure) of the El Paso Municipal Code shall be and hereby is amended by adding the following at the end of Subsection C.:

3. For Off-Premise Sign Demolitions:

- a. Size and location of sign to be removed.
- b. A copy of the original permit for the sign to be removed or a copy of documentation maintained by the Deputy Director for Building Services demonstrating the sign legally exists at its current location.

4. For Off-Premise Billboard Sign Replacement Permits for billboards removed after July 2, 2002:

- a. Completed application with site plan and structural calculations; and,
- b. Size(s), location(s) and type(s) of sign(s) removed; and,
- c. Copy of the demolition permit(s) for the sign(s) removed.

4. That Title 20 (Zoning), Chapter 20.66 (Signs), Article II (Administration), Section 20.66.100 (Sign Permit Fee Formula) of the El Paso Municipal Code shall be and hereby is amended by adding Paragraph E. to read as follows:

E. Off-Premise Sign Demolition Permits: The permit fee for off-premise sign demolition permits shall be sixty dollars (\$60.00).

5. That Title 20 (Zoning), Chapter 20.66 (Signs), Article II (Administration), Section 20.66.130 (Prohibited Signs) of the El Paso Municipal Code shall be and hereby is amended by replacing Paragraph F. in its entirety to read as follows:

F. Off-premise wall signs and off-premise billboards, except for relocation of existing billboards to new sites in accordance with the provisions of this Chapter.

6. That Title 20 (Zoning), Chapter 20.66 (Signs), Article III (Off-Premise Sign Regulations), Section 20.66.190 (Zoning Districts) of the El Paso Municipal Code shall be and hereby is amended in its entirety to read as follows:

20.66.190 Zoning Districts.

A. Billboards may be erected, under the conditions prescribed in Section B (Replacement Standards), in the following zoning districts and no others: C-2, C-3, C-4, M-1, M-2 and M-3. No billboard shall be erected in any area designated in this chapter as deserving special control.

B. Replacement Standards. A permit for a new billboard shall be issued only upon permanent removal of a billboard, provided all of the following conditions are met:

1. After obtaining a demolition permit, at least one (1) existing billboard, legally permitted and erected, shall be permanently removed after July 2, 2002, for each new billboard permitted; and,
2. The new billboard shall comply with the regulations of the Code; and,
3. The type of new billboard permitted shall be the same as the type of billboard removed, except that only the following shall be allowed:
 - a. one (1) bulletin billboard shall be permitted for two (2) poster billboards removed,
 - b. one (1) poster billboard shall be permitted for four (4) junior billboards removed,
 - c. one (1) bulletin billboard shall be permitted for eight (8) junior billboards removed; and
4. The complete application for the replacement permit for the new billboard is submitted to Building Services within eighteen (18) months of the issuance of the demolition permit(s) for the removed billboard(s).

7. That Title 20 (Zoning), Chapter 20.66 (Signs), Article III (Off-Premise Sign Regulations), Section 20.66.200 (Size and height) of the El Paso Municipal Code shall be and hereby is amended in its entirety to read as follows:

20.66.200 Size and height.

Billboards may be erected under the following conditions:

A. In zoning districts C-2, C-3, C-4, M-1, M-2 and M-3, on freeways, expressways, or Interstate regulated highways, up to six hundred seventy-two square feet in area plus fifteen percent for cut-outs, forty-two and a half feet above the grade of the freeway, expressway, or Interstate regulated highway. In zoning districts C-2, C-3, C-4, M-1, M-2 and M-3, up to six hundred seventy-two square feet in area plus fifteen percent for cut-outs, forty-two and a half feet above the grade of the roadway on Loop 375 from Interstate Highway 10 to Montana Avenue not to exceed a total of eight (8) bulletin billboards.

B. In zoning districts C-2, C-3, C-4, M-1, M-2 and M-3, on major arterials, super arterials, or higher category arterials, up to three hundred square feet in area, thirty-five feet above ground level. Except billboards with less than three hundred square feet in area, shall be prohibited on Loop 375 from Interstate Highway 10 to Montana Avenue.

C. In zoning districts C-2, C-3, C-4, M-1, M-2 and M-3, on minor arterials or higher category arterials, up to seventy-two square feet in area, twenty-five feet above ground level. Except billboards with less than seventy-two square feet in area shall be prohibited on Loop 375 from Interstate Highway 10 to Montana Avenue.

8. That Title 20 (Zoning), Chapter 20.66 (Signs), Article III (Off-Premise Sign Regulations), Section 20.66.210 (Setback requirements) of the El Paso Municipal Code shall be and hereby is amended in its entirety to read as follows:

20.66.210 Setback requirements.

A. Signs up to seventy-two square feet in area must be thirty-five feet from the property line of the following zoning districts when located on the same side of the street: C-1 and C-5.

B. Signs up to seventy-two square feet in area must be one hundred feet from the property line of the following zoning districts when located on the same side of the street: R-F, R-1, R-2, R-2A, R-3, R-3A, R-4, R-5, P-RII, P-RI, RMH, PMD, A-1, A-2, A-3, A-4, A-M, A-3/O or A-O.

C. Signs larger than seventy two square feet must be fifty feet from the property line of the following zoning districts when located on the same side of the street: C-1 and C-5.

D. Signs larger than seventy two square feet and up to three hundred square feet in area must be three hundred and fifty feet from property line of the following zoning districts when located on the same side of the street: R-F, R-1, R-2, R-2A, R-3, R-3A, R-4, R-5, P-RI, P-RII, RMH, PMD, A-1, A-2, A-3, A-4, A-M, A-3/O or A-O.

E. Signs larger than three hundred square feet in area must be three hundred and fifty feet from property line of the following zoning districts when located on the same side of the street: R-F, R-1, R-2, R-2A, R-3, R-3A, R-4, R-5, P-RI, P-RII, RMH, PMD, A-1, A-2, A-3, A-4, A-M, A-3/O or A-O.

F. All requirements for front yard setbacks which are applicable to structures under this title of the code shall also apply to signs regulated under this chapter, except that signs which do not exceed seventy-two square feet shall be subject only to a minimum front yard setback of five feet in all zoning districts.

G. No signs are allowed within the area of a triangle formed by intersecting public right-of-way boundary lines at any intersection and a diagonal joining such boundary lines at points fifty feet from their intersection except that junior billboards are

allowed within such area up to the diagonal line joining such boundary lines at points twenty feet from their intersection.

H. No signs are allowed within thirty-five feet of a freestanding on-premise sign on the same side of the street.

9. That Title 20 (Zoning), Chapter 20.66 (Signs), Article III (Off-Premise Sign Regulations), Section 20.66.220 (Spacing) of the El Paso Municipal Code shall be and hereby is amended in its entirety to read as follows:

20.66.220 Spacing.

A. Off-premise signs on the same side of the roadway shall be spaced as follows:

From	To		
	Junior	Poster	Bulletin
Junior	750	1,000	1,000
Poster	1,000	1,000	1,000
Bulletin	1,000	1,000	1,000
Bulletin (on Loop 375 from I-10 to Montana Avenue)	Prohibited	Prohibited	6,000

All measurements made under this subsection are in feet and along a line parallel to the roadway to which the sign is oriented.

B. Spacing requirements shall not be diminished by separation of any signs by an arterial, structure or natural feature.

10. That Title 20 (Zoning), Chapter 20.66 (Signs), Article III (Off-Premise Sign Regulations), Section 20.66.230 (Special Control Areas) of the El Paso Municipal Code shall be and hereby is amended in its entirety to read as follows:

20.66.230 Special control areas.

A. Significant Landmarks Designated by the United States, the State of Texas, or the City of El Paso.	No off-premise signs allowed within 500 feet of any designated historical landmark, site, or building property line.
--	--

B. All Historic Districts	No off-premise signs are permitted within the boundaries of the district and no off premise signs shall be installed within 500 feet of the center line of streets forming the boundaries of the district.
---------------------------	--

C. Designated Special Districts	
Central Business District	No off-premise signs are permitted within the area bounded by Interstate Highway 10 on the north, St. Vrain/ Virginia Streets on the east, Paisano Drive on the south, and by a line tangent to the west facade of Union Depot, running north to south from Interstate Highway 10 to Paisano Drive.
South El Paso	No off-premise signs are permitted within the area bounded by Paisano Drive on the north, Rio Grande International Boundary on the south, Park Street on the east, and Santa Fe Street on the west.
Ysleta Mission Area (includes the Tigua Indian Reservation)	No off-premise signs are permitted within a 1,200 feet radius from Mission steeple.
Mountain Development Area (MDA)	No off-premise signs are permitted on such lands as defined by the Zoning, Grading, and Subdivision Ordinances of the City of El Paso for the protection of the Franklin Mountains.

D. Freeway Interchanges	Areas Restricted From Signage
I-10 at U.S. 54	No off-premise signs are permitted within 1,000 feet from right-of-way line from Raynolds on the east, Yandell on the north, Gramma on the west, and junction with the Paisano/Juarez exits on the south.
U.S. 54 at Loop 375 (Cesar Chavez Border Highway)	No off-premise signs are permitted within 1,000 feet from right-of-way line from junction of I-10 and U.S. 54 to junction with Loop 375, including the Cordova Port of Entry.

I-10 at Loop 375 (Transmountain Road)	No off-premise signs are permitted within 1,000 feet of this intersection.
I-10 at Loop 375 (Americas Avenue)	No off-premise signs are permitted within 1,500 feet of this intersection.

E. Designated Scenic Corridors

No off-premise sign shall be placed within 1,000 feet from either right-of-way line of an arterial within the following scenic corridors:

Woodrow Bean-Transmountain Road
Loop 375 (Cesar Chavez Border Highway and Americas Avenue) from Santa Fe Street to I-10
Zaragoza Road from Zaragoza Port of Entry to Alameda Avenue
I-10 from Schuster Drive to the Central Business District
Mesa Street from Sun Bowl Drive to the Central Business District
Rim Road
Scenic Drive
Schuster Drive/Murchison Drive
McKelligon Canyon Road
Alabama Drive/Magnetic Drive
Airport Drive
Fred Wilson Avenue
U.S. 54 from Hondo Pass Avenue to the Texas/New Mexico State line
Alameda Avenue from Loop 375 (Americas Avenue) to Zaragoza Road
Ord Gary-Artcraft Road/Paseo del Norte Road
Country Club Road/Westside Drive
Diana Drive from U.S. 54 to Dyer Street
Doniphan Drive
El Paso Street
Hondo Pass Avenue
Martin Luther King Jr. Boulevard
McCombs Street from U.S. 54 to the Texas/New Mexico state line
McKinley Avenue
Northeast Parkway
Paisano Drive from Sunland Park Drive to Alameda Avenue

Santa Fe Street
Airway Boulevard
Loop 375 from Montana Avenue to Railroad Drive
Stanton Street

F. Park	No off-premise sign may be installed within 1,000 feet of the property line.
----------------	--

G. School, Church or Hospital	No off-premise sign may be installed within 500 feet of the property line.
--------------------------------------	--

H. Ports of Entry	
Santa Fe/ Stanton	No off-premise sign shall be placed within the following area at the Santa Fe Port of Entry: Bounded by the alley in Block 43, Campbell Addition, running north-south from Paisano to the International Border, the centerline of Paisano Drive, running east-west; the centerline of the alley in Block 139, Campbell Addition, running north-south from Paisano to the centerline of Sixth Street, running east to the centerline of Block 74 thence said line running south to the International Border, the International Border being the southern boundary.
Stanton	No off-premise sign shall be placed within the following area at the Stanton Street Port of Entry: Bounded by the centerline of the alley of Block 47, Campbell Addition, running north-south from the International Border to the centerline of Paisano Drive, the east-west to the centerline of the alley of Block 137 Campbell Addition, running north-south to the border line being the southern boundary.
Zaragoza	No off-premise sign shall be placed within 500 feet of the centerline of Zaragoza Road, running from the bridge abutment to Socorro Road.

Cordova (including I-10/U.S. 54 and U.S. 54/Loop 375 freeway interchanges)	<p>No off-premise signs are permitted within 500 feet from the State right-of-way from Raynolds on the east, Yandell on the north, Gramma on the west, and junction with the Paisano/Juarez exits on the south.</p> <p>No off-premise signs are permitted within 500 feet from the State right-of-way line from junction of I-10 and U.S. 54 to junction with Loop 375, including the Cordova Port of Entry.</p>
New Ports-of-Entry	No off-premise signs are permitted within 1,000 feet from the property line of a port-of-entry.

11. That these regulations shall become effective as of the date of passage of this Ordinance by City Council. Applications for new billboards submitted after the effective day of this Ordinance are subject to all requirements of the Municipal Code as herein amended.

12. Except as herein amended, all other provisions of Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions) and Chapter 20.66 (Signs), shall remain in full force and effect.

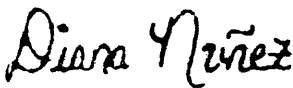
PASSED AND APPROVED this 2nd day of JULY, 2002.

THE CITY OF EL PASO



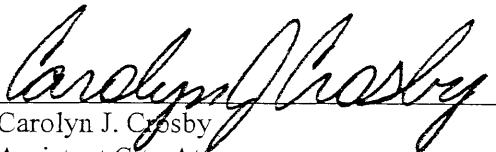
Raymond C. Caballero
Mayor

ATTEST:



DEPUTY City Clerk

APPROVED AS TO FORM:



Carolyn J. Crosby
Assistant City Attorney

APPROVED AS TO CONTENT:



Patricia D. Adauto, Director of Planning,
Research & Development



Terry Williams
Deputy Director for Building Services